

Wohlstetter's tremendous contributions to our Nation. I ask that the eulogy given by Richard Perle, former Assistant Secretary of Defense, be printed in the RECORD.

The eulogy follows:

ALBERT WOHLSTETTER, 1913-1997

(By Richard Perle)

Not long before he died, Albert amused himself and—anyone who would listen—by reading a poem by Wallace Stevens called *Six Significant Landscapes*. Joan and Roberta thought I should read it here. And when they faxed it to me in Washington, I knew why: you can't hear this short poem without thinking about Albert, without seeing, in your mind's eye, that wonderful, warm, engaging smile which, prompted by a recollection or an idea or a phrase, would fill a room. So here it is, *Landscape Six*:

Rationalists, wearing square hats  
Think, in square rooms,  
Looking at the floor,  
Looking at the ceiling.  
They confine themselves  
To right-angled triangles,  
If they tried rhomboids,  
Cones, waving lines, ellipses—  
As, for example, the ellipse of the half-moon—  
Rationalists would wear sombreros.

Had I'd known the poem, or read it before telling a New York Times reporter on Sunday that Albert was a rationalist, I would have added that he was a rationalist who wore a sombrero. Because if there is one thing Albert never did, it was to wear square hats or confine himself to right-angles. Albert, in fact, never confined himself, period. His vision was wholly original, never conventional. And it was vast. Whether the subject was the design of strategic forces or the future of technology or the inadequacy of treaties and agreements or the implications of new systems of communication, or income distribution as a function of race or nuclear proliferation or the impact of topography on the stability of peace in Bosnia, Albert saw old issues in new lights—and new issues before anyone else.

Albert's refusal to accept the conventional wisdom on any subject fueled his unrelenting drive to comprehend, to know, to learn, to understand. Thus he spent a lifetime searching for evidence, digging for facts, unearthing details. His appetite for documents was voracious. Maps, charts, statistics, studies, findings, testimony—he devoured them all, and on every conceivable subject. And thanks to Roberta—a wellspring of warmth, affection, wisdom and such order as could be detected at Woodstock Road—the ever rising flood of material that eventually forced the purchase of a second house, was there when needed.

As so many here know well, Albert's capacity to assemble, analyze and absorb mountains of information was limitless. This was bad news indeed for those square hats who made the mistake of blundering into debates with him: anything they had ever said or done was certain to be dissected and delivered back. It would hit one right between the eyes. Whether in articles or briefings or congressional testimony or professional panels, when Albert set out to make a point, the holders of opposing—especially conventional—views were well advised to take cover. And all the while, over decades of intense debate and controversy, Albert conducted the discussion of public policy with style and wit, with humor and civility and,

above all, with reason and integrity. He was on the front lines in countless battles over public policy for decades. Yet not once, in the nearly 40 years I was privileged to know him, did Albert exhibit even a sliver of the small minded, ill-tempered discourse that so often characterized the debate over issues of strategy. For half a century, the high ground was his.

Albert's scoffing at conventional thinking sometimes had its humorous side. A few years ago, when Leslie and I were visiting at 2805 Woodstock, I watched Sam Tanaka, the Wohlstetter's Japanese gardener, hard at work planting something with great difficulty while muttering a stream of what I suspected were Japanese expletives. "What are you doing?" I asked. "Oh," he said, resignedly, "every year Mr. Wohlstetter makes me plant water chestnuts. Every year I tell him water chestnuts don't grow in southern California. He won't listen. 'Try again,' he tells me. Ten years—no water chestnuts."

Albert's motto might well have been "All the world's a school and all the people in it merely students." For he made students of us all. It didn't take one very long to understand that Albert's towering intelligence and vast knowledge were gifts he felt impelled to share. I was in the eleventh grade at Hollywood High School when I had my first Wohlstetter tutorial, standing by the swimming pool at Woodstock Road. "The Delicate Balance of Terror" had recently appeared in *Foreign Affairs*, and Albert had just completed 80 or 90 classified briefings over many weeks in Washington. What a marvel of precision and compression that article was, and how intricate and subtle was the underlying analysis. I would never have pursued a career in strategic policy without Albert's patient, gentle, generous teaching which began one day in 1958 and continued for 40 wonderful years. And I might be a good deal thinner if Albert had been less successful instructing me in the joys of the *Michelin Guide*.

To those of us who were fortunate enough to be his students, Albert had so very much to teach, not only about his chosen field, but about history and economics and music and art and architecture and food and wine and, for the really smart ones, mathematics and mathematical logic. There was hardly a subject about which Albert did not know a great deal and—invariably what was most important. Above all, he taught us the importance of accuracy and precision. He believed that one earned the right to comment the old fashioned way—by setting and meeting the highest standards of rigor and objectivity.

I won't even attempt to catalogue Albert's extraordinarily rich intellectual legacy. He tackled a succession of vexing, complex issues of public policy from the early days at RAND in the 1950's until his death last Friday. He brought clarity and wisdom to everything he studied. But I do want to say a word about Albert's most recent work concerning Bosnia.

No one worked harder than Albert to make the case for protection and just treatment for the victims of aggression in Bosnia, or to explain the broad implications of a failure to do so. In his eighties, when most men shed burdens rather than acquire them, Albert took upon himself the burden of gathering, analyzing and publishing the facts about the genocide in Bosnia and fitting those facts into the context of western security and values. In his customary manner, he worked tirelessly, night and day, for a distant people about whose plight he came to know everything important. His articles in the *Wall Street Journal* and elsewhere, his advice and

counsel to others, his mobilization of friends, colleagues and students in the Bosnia cause were a wonderful, moving testimony to his sense of rectitude. And his singular effectiveness in shaping the opinion of thoughtful people around the world is a tribute to the power of a great mind hard at work.

As he confronted the nightmare in Bosnia, I was never prouder of my friend and teacher.

In all its depth and richness, Albert's life was in every sense a partnership. He and Roberta taught us all how far beyond the sum of its parts a marriage so whole and complete can reach. Those of us who marveled over the years at their seamless collaboration know that it was no bow to the feminist movement when Ronald Reagan awarded the Presidential Medal of Freedom jointly to Albert and Roberta.

Albert had many favorite things, among them a poem by Dylan Thomas. It goes like this:

Do not go gentle into that good night,  
Old age should burn and rave at close of day;  
Rage, rage against the dying of the light.  
Though wise men at their end know dark is right,  
Because their words had forked no lightning they  
Do not go gentle into that good night.  
Good men, the last wave by, crying how bright  
Their frail deeds might have danced in a green bay,  
Rage, rage against the dying of the light.  
Wild men who caught and sang the sun in flight,  
And learn, too late, they grieved it on its way,  
Do not go gentle into the good night.  
Grave men, near death, who see with blinding sight  
Blind eyes could blaze like meteors and be gay,  
Rage, rage against the dying of the light.  
And you, my father, there on the sad height,  
Curse, bless, me now with your fierce tears,  
I pray.  
Do not go gentle into the good night.  
Rage rage against the dying of the light.●

#### COMMISSION ON STRUCTURAL ALTERNATIVES FOR THE FEDERAL COURTS OF APPEALS—S. 248

● Mrs. FEINSTEIN. Mr. President, on January 30, with my distinguished colleague, HARRY REID, I introduced S. 248, to establish a Commission on Structural Alternatives for the Federal Courts of Appeals. I now ask that it be printed in the RECORD.

The text of the bill follows:

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. ESTABLISHMENT AND FUNCTIONS OF COMMISSION.

(a) ESTABLISHMENT.—There is established a Commission on Structural Alternatives for the Federal Courts of Appeals (hereinafter referred to as the "Commission").

(b) FUNCTIONS.—The functions of the Commission shall be to—

(1) study the present division of the United States into the several judicial circuits;

(2) study the structure and alignment of the Federal Court of Appeals system, with particular reference to the Ninth Circuit; and

(3) report to the President and Congress its recommendations for such changes in circuit boundaries or structure as may be appropriate for the expeditious and effective disposition of the caseload of the Federal Courts of Appeals, consistent with fundamental concepts of fairness and due process.

## SEC. 2. MEMBERSHIP.

(a) COMPOSITION.—The Commission shall be composed of 12 members appointed as follows:

(1) Two members appointed by the President of the United States.

(2) Two members appointed by the Chief Justice of the United States.

(3) Two members appointed by the Majority Leader of the Senate.

(4) Two members appointed by the Minority Leader of the Senate.

(5) Two members appointed by the Speaker of the House of Representatives.

(6) Two members appointed by the Minority Leader of the House of Representatives.

(b) APPOINTMENT.—The members of the Commission shall be appointed within 60 days after the date of the enactment of this Act.

(c) VACANCY.—Any vacancy in the Commission shall be filled in the same manner as the original appointment.

(d) CHAIR.—The Commission shall elect a Chair and Vice Chair from among its members.

(e) QUORUM.—Seven members of the Commission shall constitute a quorum, but 3 may conduct hearings.

## SEC. 3. COMPENSATION.

(a) IN GENERAL.—Members of the Commission who are officers, or full-time employees, of the United States shall receive no additional compensation for their services, but shall be reimbursed for travel, subsistence, and other necessary expenses incurred in the performance of duties vested in the Commission, but not in excess of the maximum amounts authorized under section 456 of title 28, United States Code.

(b) PRIVATE MEMBERS.—Members of the Commission from private life shall receive \$200 per diem for each day (including travel time) during which the member is engaged in the actual performance of duties vested in the Commission, plus reimbursement for travel, subsistence, and other necessary expenses incurred in the performance of such duties, but not in excess of the maximum amounts authorized under section 456 of title 28, United States Code.

## SEC. 4. PERSONNEL.

(a) EXECUTIVE DIRECTOR.—The Commission may appoint an Executive Director who shall receive compensation at a rate not exceeding the rate prescribed for level V of the Executive Schedule under section 5316 of title 5, United States Code.

(b) STAFF.—The Executive Director, with approval of the Committee, may appoint and fix the compensation of such additional personnel as he determines necessary, without regard to the provisions of title 5, United States Code, governing appointments in the competitive service or the provisions of chapter 51 and subchapter III of chapter 53 of such title relating to classification and General Schedule pay rates. Compensation under this subsection shall not exceed the annual maximum rate of basic pay for a position above GS-15 of the General Schedule under section 5108 of title 5, United States Code.

(c) EXPERTS AND CONSULTANTS.—The Executive Director may procure personal services of experts and consultants as authorized by section 3109 of title 5, United States Code, at

rates not to exceed the highest level payable under the General Schedule pay rates under section 5332 of title 5, United States Code.

(d) SERVICES.—The Administrative Office of the United States Courts shall provide administrative services, including financial and budgeting services, for the Commission on a reimbursable basis. The Federal Judicial Center shall provide necessary research services on a reimbursable basis.

## SEC. 5. INFORMATION.

The Commission is authorized to request from any department, agency, or independent instrumentality of the Government any information and assistance the Commission determines necessary to carry out its functions under this Act. Each such department, agency, and independent instrumentality is authorized to provide such information and assistance to the extent permitted by law when requested by the Chair of the Commission.

## SEC. 6. REPORT.

No later than 2 years following the date on which its seventh member is appointed in accordance with section 2(b), the Commission shall submit its report to the President and the Congress. The Commission shall terminate 90 days after the date of the submission of its report.

## SEC. 7. CONGRESSIONAL CONSIDERATION.

No later than 60 days after the submission of the report, the Committee on the Judiciary of the Senate shall act on the report.

## SEC. 8. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated to the Commission such sums, not to exceed \$1,300,000, as may be necessary to carry out the purposes of this Act. Such sums as are appropriated shall remain available until expended.●

## AMBASSADOR SAMUEL G. WISE, JR.

● Mr. D'AMATO. Mr. President, I rise today to do again something I have done many times in the past—to say good things about Sam Wise. Sam passed away during the early morning on Tuesday, January 21, 1997, after a short illness. Our thoughts and our prayers go out to his wife, Mary, and the rest of his family in this most difficult time.

I first met Sam in 1981, when I came to the Senate as a freshman and joined the Commission on Security and Cooperation in Europe, which is better known as the Helsinki Commission. I have worked with him, traveled with him, relied upon him, trusted him as a staff member, a diplomat, and a friend.

When I first served as the Helsinki Commission's chairman, in 1985 and 1986, Sam was already the pillar of wisdom, the font of all Commission and CSCE knowledge, and the balance wheel of good judgment that kept things under control. At the Vienna CSCE Review Conference, which began under my chairmanship, Sam became the deputy head of the U.S. delegation, and was awarded the personal rank of Ambassador by the President. It was an honor hard-earned and richly deserved.

With the start of the 105th Congress, the Commission is suddenly and sadly lacking Sam's leadership, professionalism, and gravitas. The obituary published in the Washington Post on

Thursday, January 23, 1997, summarizes the facts of his life. But it doesn't tell the story of the arduous travel, the late nights, the haggling over bracketed text, the personal integrity and ex-marine toughness that made seasoned diplomats trust him and rely upon him and allowed him to close the deal when other people couldn't.

The measure of his loss will test us. In life, he taught and led, and gave of himself unstintingly in the service of his country, and in the service of humanity. Retired from the Department of State in 1982, after serving with the Commission on detail since 1977, the year after the Commission's founding, he had his greatest impact on U.S. policy with the Commission. He subsequently served as the Commission's staff director, and later as its director of international policy.

His skillful, steady hand helped guide the Helsinki Accords from a contentious and little-known artifact of détente to a living, growing international process and organization that has brought much good to many people, and has helped build peace, prosperity, and security for the United States, our allies, and all of the people of Europe.

His work with the Commission specifically advanced the cause of human rights to its highest level of achievement in international relations. During the cold war, prisoners of conscience, refuseniks, persons whose families had been separated, the oppressed of all kinds, had a friend and a skillful ally in Sam. Many cases were resolved—among them those of Anatoly Scharansky and Yuri Orlov—and many families were reunited. We can make a list of individual people he helped, and every one of these cases in whose resolution he had a hand adds luster to his name.

More importantly, in international meeting after international meeting, Sam did the hard work of diplomacy, out of the spotlight, helping bring together the United States, Canada, and the nations of Europe to agree, word by painfully negotiated word, on commitments that made human rights a legitimate issue in international relations, not one that an oppressive state could easily dismiss as outside interference in its internal affairs.

This is hard work, building the foundation of human civilization. That's what Sam helped do. The modern Organization for Security and Cooperation in Europe, and especially the established human rights standards it embodies and advances, are a product, in larger part than the world knows, of his dedication, skill, tireless effort, and commitment to principle. While the world at large may little note his passing, those of us who know the Helsinki process and the demanding work of establishing and protecting human rights, we know we have lost one of the people who count. His achievements in life will serve as a lasting tribute to him, and will continue to do good for his country, our friends, and humanity in general for many years to come.